

REMARKS

Claims 1-20 are pending. Reconsideration and allowance based on the below comments are respectfully requested.

Applicant notes that the Examiner does not address claim 20 in the Office Action. As such, applicant presumes that claim 20 has been deemed allowable. Nonetheless, the Office Action is incomplete and applicant respectfully requests an indication of the status of claim 20 in a subsequent Official Action.

The Examiner rejects claims 1-18 under 35 U.S.C. §103(a) as being unpatentable over Kamada, et al. (U. S. Patent No. 6,118,389) and claim 19 under 35 U.S.C. §103(a) as being unpatentable over Kamada, et al. in view of Kishigami, et al. (U.S. Patent No. 5,908,464). These rejections are respectfully traversed.

Applicant reminds the Examiner that as stated in MPEP 2143, to establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Applicant respectfully submits that the Examiner fails to meet the above criteria.

The Examiner alleges that Kamada teaches each and every feature of the claimed invention except for the displaying of the distance of each intersection and a name of each intersection extracted by said route guiding means.

However, applicant submits that Kamada also fails to teach the claimed route guiding means which extract intersections existing on the route searched by said route searching means and calculates a distance from the present position of the vehicle to each of the intersections, as recited in claim 1; extracting intersection existing on said route and calculating a distance from the present position to each intersection, as recited in claim 9; and a route guiding device, which extracts intersections and identifying information for such intersection, existing on the route and calculates the distances from the present position to the intersections, as recited in claim 17.

Kamada teaches an automobile navigation system which includes the ability to set a detour for a route to a desired destination. Kamada's system requires that a user enter the destination point. A route is then calculated from the starting point to the destination point. Along the route, a detour route may be calculated if desired. Nowhere in Kamada, however, does it teach or suggest extracting intersection information on the route searched and then calculating a distance from the present position of the vehicle to each of the extracted intersections, as claimed in the present invention. The mere extraction of route data does not constitute the extraction of each intersection and calculation of distances to each of the intersection based on a current

vehicle position. Thus, for this reason alone, the Examiner has failed to establish a prima facie case of obviousness, as each and every feature of the claim is not taught.

The Examiner alleges that it would have been obvious to one of ordinary skill to “display any information that could help the user in order to provide better service”. Applicant submits that Kamada neither provides these suggestion nor motivation to combine Kamada’s navigation system to include the extraction of the intersection data and the displaying of the names of each intersection and distances to each intersection, as presently claimed. Further, the Examiner has not provided any evidence that (1) one of ordinary skill in the art had knowledge of extraction of intersection information and the displaying of such information at the time of the invention and (2) one of ordinary skill would have been motivated to combine the teachings of Kamada to include the use of intersection information if one of ordinary skill did have knowledge thereof, which applicant submits they did not.

Applicant respectfully submits that absent any evidence e.g., a reference, which teaches the display features of the present invention, that such a combination as suggested by the Examiner with Kamada is based on impermissible hindsight. Applicant submits that obviousness cannot be established by hindsight combination to produce the claimed invention. *In re Gorman*, 933 F.2d 982, 986, 18 USPQ 2d 1885, 1885 (Fed. Cir. 1991). It is the prior art itself, and not the applicants achievement, that must establish the

obviousness of the combination. Therefore, applicant submits that the only motivation to make such modification to Kamada is based on an impermissible hindsight reference to applicants specification.

Further, Kishigami, et al fails to make up for Kamada's deficiencies. Kishigami provides a system that display current traffic conditions based on a vehicles position. Kishigama neither teaches or suggests extracting intersection information and providing distance information for each intersection based on a current vehicle position as presently claimed.

In view of the above, applicant respectfully submits that the prima facie case of obviousness has not been established. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

CONCLUSION

For at least these reasons, it is respectfully submitted that claims 1-20 are distinguishable over the cited references. Favorable consideration and prompt allowance are earnestly solicited.

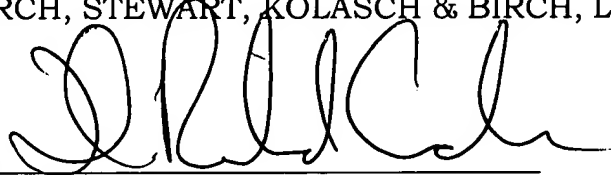
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Appl. No. 09/887,346

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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